

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Aaron Russel Drain,

Plaintiff

v.

Calvin Johnson., et al.,

Defendants

Case No. 2:22-cv-00924-CDS-DJA

**Order Denying as Moot Plaintiff's
Motion for Extension of Time**

[ECF No. 40]

On October 10, 2023, plaintiff Aaron Drain moved for an extension of time to file a response to defendants Wilson Bernales, Jayme Cabrera, and David Rivas' motion for summary judgment. ECF No. 40. Therein, Drain sought additional time because he had mailed material he needed to respond to his residence and did not have access to it at that time. *Id.* at 1. As a result, Drain sought an additional 45 days to file his response. *Id.* at 2. To date, however, Drain has not filed an opposition. The court notes, however, that Drain updated his address on November 17, 2023. ECF No. 43. Therefore, the court will give Drain another opportunity to respond to defendants' motion for summary judgment.

Accordingly, Drain's motion to extend time [ECF No. 40] is **DENIED** as moot. I sua sponte give Drain until June 7, 2024 to file an opposition to defendants' summary judgment motion.

Dated: May 20, 2024


Cristina D. Silva
United States District Judge